

# NOTICE OF PROPOSED RULE ADOPTION

## STATE OF MISSISSIPPI BOARD OF CONTRACTORS



Mississippi State Board of Contractors  
c/o John M. Sullivan, II, Executive Secretary  
215 Woodline Drive  
Jackson, Mississippi 39232  
(601) 354-6161  
[info@msboc.us](mailto:info@msboc.us) or [www.msboc.us](http://www.msboc.us)

**Specific Legal Authority authorizing the promulgation of Rule:** Miss. Code Ann. §31-3-13(f) (1972, as amended) grants the power and responsibility to the Board to adopt rules and regulations setting forth the requirements for certificates of responsibility, the revocation or suspension thereof, and all other matters concerning same; rules and regulations governing the conduct of the business of the board and its employees; and such other rules and regulations as the board finds necessary for the proper administration of this chapter.

**Reference to Rules repealed, amended or suspended by the Proposed Rule:** 50 023 001. Rules and Regulations – Commercial. Rule 1.1. A qualifying party is defined in Miss. Code Ann. §31-3-13(a) (1972, as amended). When the qualifying party terminates employment with the Certificate holder, the Mississippi State Board of Contractors must be notified in writing, by the qualifying party and the Certificate holder, within thirty (30) days of the disassociation and another party must qualify within one hundred eighty (180) days or Certificate holder will be subject to suspension or revocation of its Certificate of Responsibility. (amended 5/19/93)

### Explanation of the Purpose of the Proposed Rule and the reason(s) for proposing the rule:

The Mississippi Board of Contractors is a licensing agency whose purpose is to protect the health, safety and general welfare of all persons dealing with those who are engaged in the vocation of contracting and to afford such persons an effective and practical protection against incompetent, inexperienced, unlawful and fraudulent acts of contractors. Therefore, it is necessary that the Board of Contractors be apprised of any changes regarding qualifying party(ies) in order to fulfill the statutory purpose of the agency.

This rule is proposed as a ☒ Final Rule, and/or a ☐ Temporary Rule (Check one or both boxers as applicable.)

**Persons may present their views on the proposed rule by addressing written comments to the agency at the above address. Persons making comments should include their name and address, as well as other contact information, and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.**

### Oral Proceeding:

Check one box below:

☐ An oral proceeding is scheduled on this rule on Date: {Insert Date} Time: {Insert Time}  
Place: {Insert Place}

If you wish to be heard and present evidence at the oral proceeding you must make a written request to the agency at the above address at least \_\_\_\_ day(s) prior to the proceeding to be placed on the agenda. The request should include your name, address, telephone number as well as other contact information; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

☒ An oral proceeding is not scheduled on this rule. Where an oral proceeding is not scheduled, an oral proceeding will be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address and telephone number of the person(s) making the request; and if you are an agent or attorney, the name, address and telephone number of the party or parties you represent.

### Economic Impact Statement:

Check one box below:

☒ The agency has determined that an economic impact statement is not required for this rule.

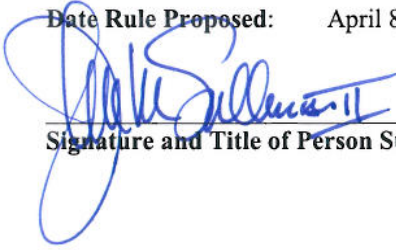
SQS FORM APA 001  
Effective Date 07/29/2005

☐ The concise summary of the economic impact statement required is attached.

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

**Date Rule Proposed:** April 8, 2009

**Proposed Effective Date of Rule:** October 8, 2009

 *Exec. Dir.*  
**Signature and Title of Person Submitting Rule for Filing**